

REMARKS

Claims 1-30 were previously canceled. Claims 31-36 are pending.

A. Double Patenting Rejection

Claims 31-36 have been rejected under the non-statutory, judicially created doctrine of obviousness-type double patenting over claims 4-7 and 28 of U.S. Patent No. 6,372,185 (page 2, items 1 and 2 of the Office Action). While the Applicant respectfully traverses this rejection, it is believed that this issue has become moot in view of the terminal disclaimer which accompanies this response. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

In re Application of
Shumate et al.
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PATENT
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CONCLUSION

In view of the foregoing, it is submitted that all the pending claims are in condition for allowance. Accordingly, reconsideration and favorable action on all the claims are respectfully requested. In the event any matters remain to be resolved, the Examiner is requested to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

No fee is believed due in connection with this response. In the event that a fee is due, the Commissioner is hereby authorized to charge any amounts required by this filing, or credit any overpayment, to Deposit Account No. 07-1896.

Respectfully submitted,

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